

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

JUL 16 1997

In the Matter of)

Advanced Television Systems)
and Their Impact upon the)
Existing Television Broadcast)
Service)

MM Docket No. 87-268

RESPONSE OF LAREDO COMMUNITY COLLEGE

Laredo Community College, applicant for Channel *39 at Laredo, Texas, does not find in the record so far any adequate attempt to deal with the special DTV allocations problems along the Mexican border. The College's application for a new ETV station was filed August 9, 1996, file no. BPET-96-0809KI. The College filed comments in this docket on November 22, 1996, a copy of which is appended to this response.

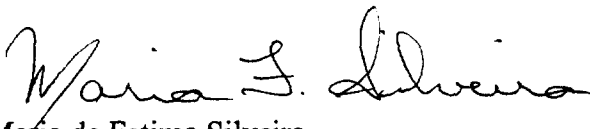
The College is informed that the failure of the DTV table to provide for continuation of the College's instructional programming to English- and Spanish-speaking students via digital television is due to the failure to secure agreement from the Mexican government to allow an adequate transition to DTV. If this be the case, the College urges the Commission to be more aggressive in protecting the interests of domestic viewers. In addition, the Commission should point out to the Mexican government that the educational programming of the kind proposed by the College is of particular benefit to Hispanic students on both sides of the border.

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Conclusion

For the reasons stated above and in the College's Comments attached hereto, the Commission should insure that the DTV table contains all the non-commercial broadcast (or "asterisked") channels for which applications were on file with the FCC by the cut-off date.

Respectfully submitted,
MILLER & VAN EATON, P.L.L.C.

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July 18, 1997

MFS/rci
Attachment

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NOV 22 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
ADVANCED TELEVISION SYSTEMS) MM Docket No. 87-268
AND THEIR IMPACT UPON THE)
EXISTING TELEVISION BROADCAST SERVICE)

COMMENTS OF LAREDO COMMUNITY COLLEGE

Laredo Community College herewith files its comments in response to the Commission's "Sixth Further Notice of Proposed Rulemaking" herein, as an applicant for a construction permit for Channel *39 in Laredo, Texas.

In the Notice, the Commission recognizes that its "spectrum planning with respect to the broadcast industry has traditionally taken into account the important role noncommercial stations play in providing educational and other quality programming and the financial constraints they face." Sixth Further Notice, at ¶ 59. It follows that the DTV table should contain all the noncommercial broadcast (or "asterisk") channels for which applications were filed with the FCC by the cut-off date. This would protect noncommercial channels from potential costly and time-consuming struggles once the DTV allotments have passed the initial phase.

Adding these channels to the table also fits within the traditional treatment that noncommercial stations have received in the past. The Table of Allotments in Section 73.606 of the Rules, from its inception, has accorded favored treatment to noncommercial

channels by reserving them for educational use. These reservations give the most assurance that the Commission has the power to give that the educational programming needs of the communities will be met at the earliest practicable time.

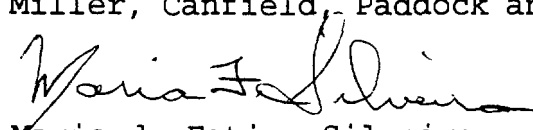
The practice of reserving channels is to hold them available for educational use, even at the cost of denying applications for non-educational use. Thus, for the Commission now to turn its back on the original reservation for future educational need by failing to continue the reservation -- particularly where there is an applicant ready, willing and able to serve the educational needs of the community, would fly in the face of the public interest in educational broadcasting that the Congress has repeatedly recognized in the Communications Act and particularly in its annual appropriations for grants for educational broadcasting facilities under Part IV (A), Section 390 - 393A of the Act.

Conclusion

The Commission should reflect Congressional policies and the public interest in the DTV table by accommodating ETV licensees, permittees, and applicants, who have met the Commissions cut-off date for applications, for asterisked channels in the DTV table.

Respectfully submitted,
Miller, Canfield, Paddock and Stone, P.L.C.

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